

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

**This document relates to:**

*Track Three Cases*

**MDL No. 2804  
Case No. 17-md-2804  
Judge Dan Aaron Polster**

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**NOTICE OF SERVICE OF CERTAIN DEFENDANTS' *DAUBERT* MOTION TO  
EXCLUDE THE OPINIONS OFFERED BY JAMES RAFALSKI**

Defendants Giant Eagle, Inc. and HBC Service Company, Rite Aid,<sup>1</sup> and Walmart Inc. ("Moving Defendants") hereby provide notice that on July 23, 2021, they served unredacted copies of the following documents on all Parties, the Court, and Special Master Cohen:

- Certain Defendants' *Daubert* Motion to Exclude the Opinions Offered by James Rafalski;
- [Proposed] Order Granting Certain Defendants' *Daubert* Motion to Exclude the Opinions Offered by James Rafalski;
- Certain Defendants' Memorandum in Support of Its *Daubert* Motion to Exclude the Opinions Offered by James Rafalski;
- Declaration of Brian C. Hill, along with the corresponding Exhibits; and
- Summary Sheet for Certain Defendants' *Daubert* Motion to Exclude the Opinions Offered by James Rafalski (also attached hereto as Exhibit A).

Dated: July 23, 2021

Respectfully submitted,

/s/ Scott D. Livingston

Robert M. Barnes  
Scott D. Livingston  
Joshua A. Kobrin  
MARCUS & SHAPIRA LLP

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<sup>1</sup> Rite Aid Hdqtrs. Corp., Rite Aid of Ohio, Inc., Rite Aid of Maryland, Inc., d/b/a Rite Aid Mid-Atlantic Customer Support Center and Eckerd Corp. d/b/a Rite Aid Liverpool Distribution Center.

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record on July 23, 2021.

/s/ Scott D. Livingston